

Application No.: 10/024,143
Amdt. Dated: May 3, 2006
Reply to Office Action Dated: February 3, 2006

Attorney Docket No. CMED.10185
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REMARKS

Claims 1 and 4-22 were pending in the present application. Claims 8-22 were withdrawn from consideration as being drawn to a nonelected species. Claims 4 and 5 have been amended and claims 1 and 8-22 have been cancelled without prejudice to or disclaimer of the subject matter contained therein. Claims 4 and 5 were amended to include the recitations of claim 1 from which these claims depended and claim 1 was accordingly cancelled. Claims 4, 5, 6 and 7 are now pending.

Reexamination of the application and reconsideration of the rejections and objections are respectfully requested in view of the above amendments and the following remarks, which follow the order set forth in the Office Action.

Rejections under 35 U.S.C. § 102(b)

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,784,127 to Joyner et al. Applicants respectfully traverse this rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Joyner et al. patent does not anticipate the composition defined in claim 1 since Joyner et al. apparently fails to describe branched polyfunctional groups as defined in claim 1.

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,527,841 to Wicker et al. Applicants respectfully traverse this rejection.

The Wicker et al. patent does not anticipate the composition defined in claim 1 since Wicker et al. apparently fails to describe branched polyfunctional groups as defined in claim 1.

In view of the foregoing, Applicants respectfully submit that the subject matter of cancelled claim 1 is not anticipated by the cited art. However, in the interest of expediting prosecution of this application, claim 1 has been cancelled without prejudice or disclaimer of the subject matter defined therein.

Claims 4-7 were objected to as being dependent upon a rejected base claim, but were found allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Since claims 4 and 5 have been amended to include the

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recitations of independent claim 1, and claims 6 and 7 depend upon claims 4 and 5, this requirement has been met.

For the foregoing reasons, claims 4, 5, 6 and 7 are considered allowable. A Notice to this effect is respectfully requested. If any questions remain, the Examiner is invited to contact the undersigned at the number given below.

Respectfully submitted,

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 5/3/2006

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Date of Signing: 05/03/2006